

Staff Summary Report



Hearing Officer Hearing Date: August 7, 2007

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by the **MOSAIC (PL070092)** located at 770 South Ash Avenue for one (1) use permit.

DOCUMENT NAME: 20070807dssd02

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **MOSAIC (PL070092)** (Ron Brinkman/KML Development, applicant; University & Ash LLC, property owner) located at 770 South Ash Avenue in the CC, City Center District for:

ZUP07088 Use permit to allow tandem parking for residential use.

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

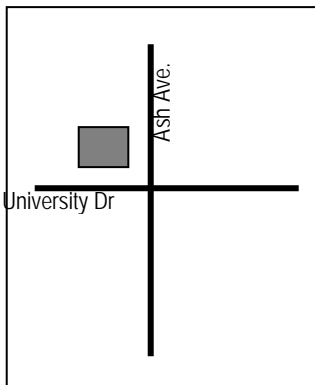
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions (1 - 4).

ADDITIONAL INFO: The applicant is requesting an approval for Tandem Parking for the residential portion of the project at Mosaic. The development consists of an eighteen (18) story building with proposed uses that include a grocery store, below and above-grade parking, and residential condominiums, all within 733,419 s.f. of building on 1.93 acres. This site is located at 750 South Ash Avenue in the CC, City Center District.



PAGES:

1. List of Attachments
2. Comments;
3. Reason for Approval; Conditions of Approval; History & Facts
4. Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site Plan
5. Garage Floor Plan
- 6-7. Elevations

COMMENTS:

The applicant is requesting an approval for Tandem Parking for the residential portion of the project at Mosaic. The development consists of an eighteen (18) story building with proposed uses that include a grocery store, below and above-grade parking and residential condominiums, all within 733,419 s.f. of building on 1.93 acres. This site is located at 750 South Ash Avenue in the CC, City Center District.

The project is located in the southwest area of Downtown Tempe. The site is bounded by the railroad tracks to the west and a parking structure to the north. Other surrounding uses include office and neighborhood commercial uses. The Maple-Ash Neighborhood, which is located on the south side of University Drive, includes a mix of single-family and multi-family dwellings.

This mixed-use project consists of both commercial and residential living space, promoting the concept of live, work and play in one environment. On the first floor is a proposed grocery store. The applicant has provided a letter included in the attachments identifying Whole Foods as the grocer for the site. As a result of the Whole Foods Parking requirements, the developer had to redesign the residential parking to include tandem parking. Below-grade level parking is provided for the grocery/commercial portions of the development. Additional floors include levels 2 through 5 of parking for residents with additional dwelling units facing the east (Ash Avenue).

Use Permit

The Zoning and Development Code allows Tandem Parking to obtain a use permit in the CC, City Center District. This use permit request meets all applicable tests in the following manner:

Evaluating the use permit, the proposal appears to pass the use permit test listed below:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - This is a parking application for a mixed use development; there should be no nuisances.
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the City's adopted plans, or General Plan;
 - The proposed development would not contribute to neighborhood deterioration or downgrade property values. This use permit request is consistent with the General Plan 2030's Land Use Element. The requested use permit will not be detrimental to the surrounding area, but will further the General Plan Land Use Element Goals and Strategies.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding uses.

Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

**REASON(S) FOR
APPROVAL:**

1. Traffic generated by this use should not be excessive.
2. There will be no apparent damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
3. The use appears to be compatible with the building, site and adjacent properties.

**SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE
FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.**

**CONDITION(S)
OF APPROVAL:**

1. All permits and clearances required by the Building Safety Division shall be obtained prior to the use permit becoming effective.
2. Any expansion or intensification of the use will require review of the use permit.
3. The use permit is valid for the plans as submitted within this application.
4. Tandem Parking is for residential uses only, No commercial parking areas shall utilize tandem parking.

HISTORY & FACTS:

June 2, 2005	City Council approved the request by Cosmo for a Zoning Map Amendment from GID, General Industrial District to CC, City Center District and a Preliminary Planned Area Development Overlay for a mixed-use building at 207 feet building height, located at 234 West University Drive.
March 23, 2006	City Council approved a Subdivision Plat request by COSMOPOLITAN #SBD-2006.26 for an Amended Subdivision Plat, consisting of two (2) lots on 3.84 net acres, located at 234 W. University Drive.
June 6, 2006	<p>City Council approved a Planned Area Development Overlay and Development Plan Review including building elevations, site and landscape plans, for an eighteen (18) story building with approximately 733,000 s.f. of building for commercial and residential use on 1.93 acres, located at 234 West University Drive, in the CC, City Center District, including the following:</p> <ul style="list-style-type: none">▪ #SPD-2006.53 Ordinance No. 2006.49 for a Planned Area Development Overlay for 733,000 s.f. mixed-use building on 1.93 acres.▪ Modify Condition of Approval #11 (SPD-2005.32), to allow a maximum building height from (207) feet to (235) feet.
May 17, 2006	Development Services administratively approved the 12th Amended Planned Development Overlay for Centerpoint and an Amended Final PAD for Phase Two – Parking Garage No. 2, in order to exclude a portion of the PAD for the purpose of developing the KML Cosmopolitan project on 234 West University Drive.

DESCRIPTION:

Owner – University & Ash LLC
Applicant – Ron Brinkman/KML Development
Existing zoning – CC, City Center District
Total site area – 1.93 gross acres
Total building area – 733,419 s.f.
Number of residential units– 187
Residential – 385,653 s.f.
Commercial – 53,172 s.f.
Proposed Height – 235 ft. (including mechanical 247 ft.)
Lot Coverage proposed – 70%
Landscape Coverage – 1.2%

Vehicle Parking Required:

(113) 1 bedroom @ 1.5/unit	170 spaces
(56) 2 bedroom @ 2/unit	112 spaces
(18) 3 bedroom @ 2.5/unit	45 spaces
Guests (187 units) @ 0.2/unit	37 spaces
(53,172 s.f.) retail @ 1/300	177 spaces
Total Required:	541 spaces
Vehicle/Bicycle Provided:	646 spaces

Bicycle Parking Required:

85 spaces (0.75/unit)
42 spaces (0.75/unit)
18 spaces (1/unit)
37spaces (0.2/unit)
13 spaces (1 per 7,500 s.f.)
195 spaces
262 spaces

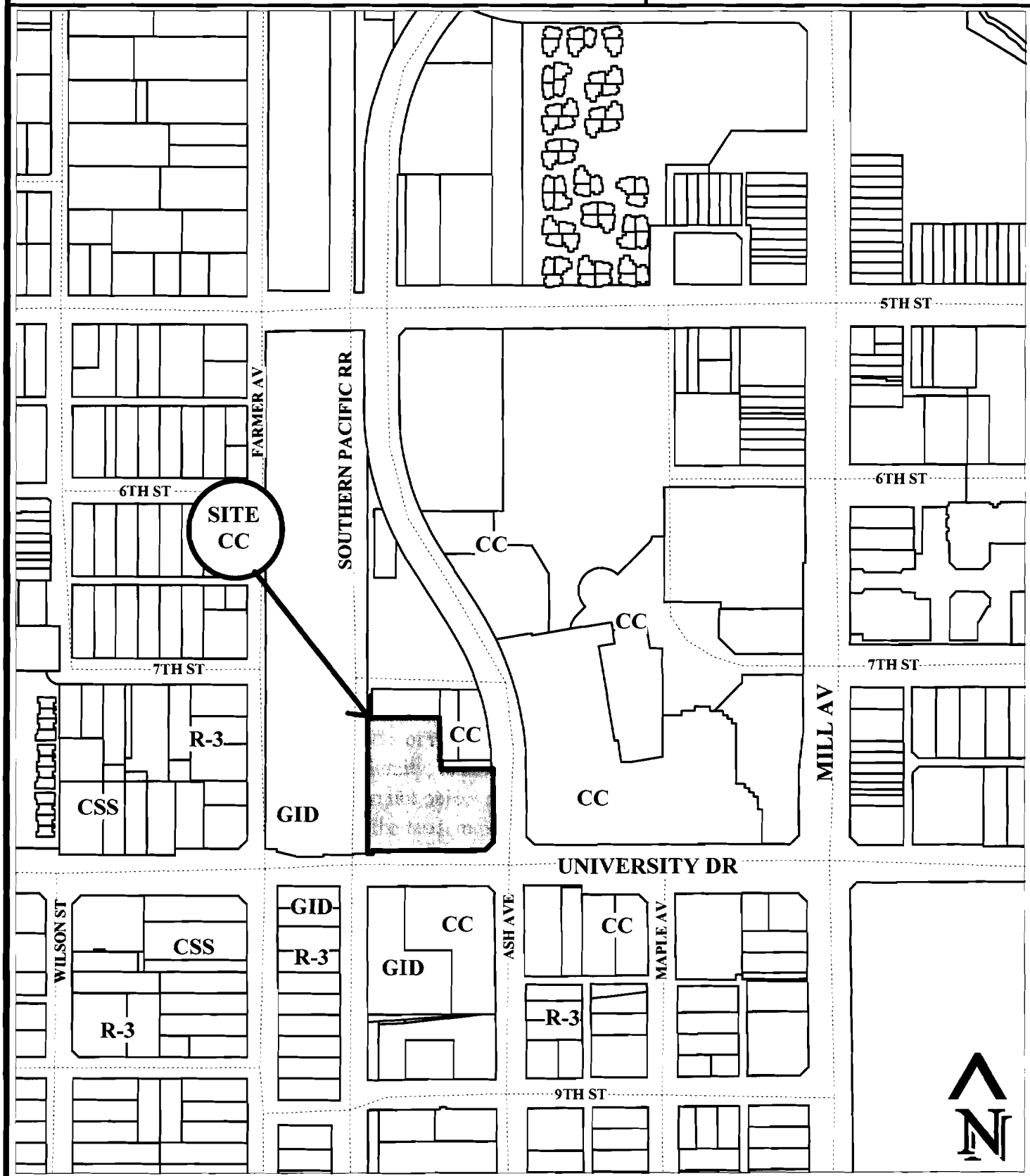
**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 4, Chapter 6, Section 6-602 (D): Parking Standards Applicable in Zoning Districts other than Single-Family.

Part 6, Chapter 3, Section 6-308: Use Permit.

MOSAIC

PL070092





MOSAIC (PL070092)

June 25, 2007

Ms. Lisa Collins
Deputy Development Services Manager
Planning Division
City of Tempe
31 East 5th Street
Tempe, AZ 85281

RE: Request for a Use Permit for Tandem Residential Parking

Ms. Collins,

University & Ash, LLC, the builders of the Mosaic, which has been before the City a number of times as we have refined our building plans, seeks the ability to utilize tandem parking for the residential units of the project. As you may recall, Mosaic is proud to be a true mixed-use project and will contain Arizona's first truly urban Whole Foods Market. The parking for Whole Foods Urban Market is physically separated from the residential parking. In fact, customers for Whole Foods Market will park on physically separate floors from the residents of the Mosaic. **We do not seek to use tandem parking for Whole Foods customers.**


Residential units will be sold, and the purchasers of units will also purchase a specific parking space or spaces. In cases where tandem parking is applied, one owner will own both parking spaces in the tandem row. Equally important, the Mosaic will utilize a professional valet service. In most cases, it will be the professional valet staff – not the individual residents who will be parking and retrieving vehicles. Accordingly, in the interest of space, we seek the ability to **use tandem parking for the residential portion of the project.** At this point, we do not know how many of the tandem spaces we will be using. Of course, we will provide the specific location of tandem space in greater detail on the construction documents as required by the City code.


The use of valet parking for the owners of residential units at the Mosaic will not be detrimental to persons residing or working in the vicinity, to adjacent property owners (the only truly adjacent project is the Chase parking garage and they do not object to this application), or the public welfare in general. In fact, every resident will be aware of the tandem parking spaces within the project before they purchase a unit and only residents will have access to this parking area.

Accordingly, we seek approval of a Use Permit to allow tandem parking spaces in the residential portion of the Mosaic.

Thank you for your consideration in this matter.

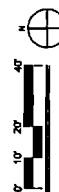
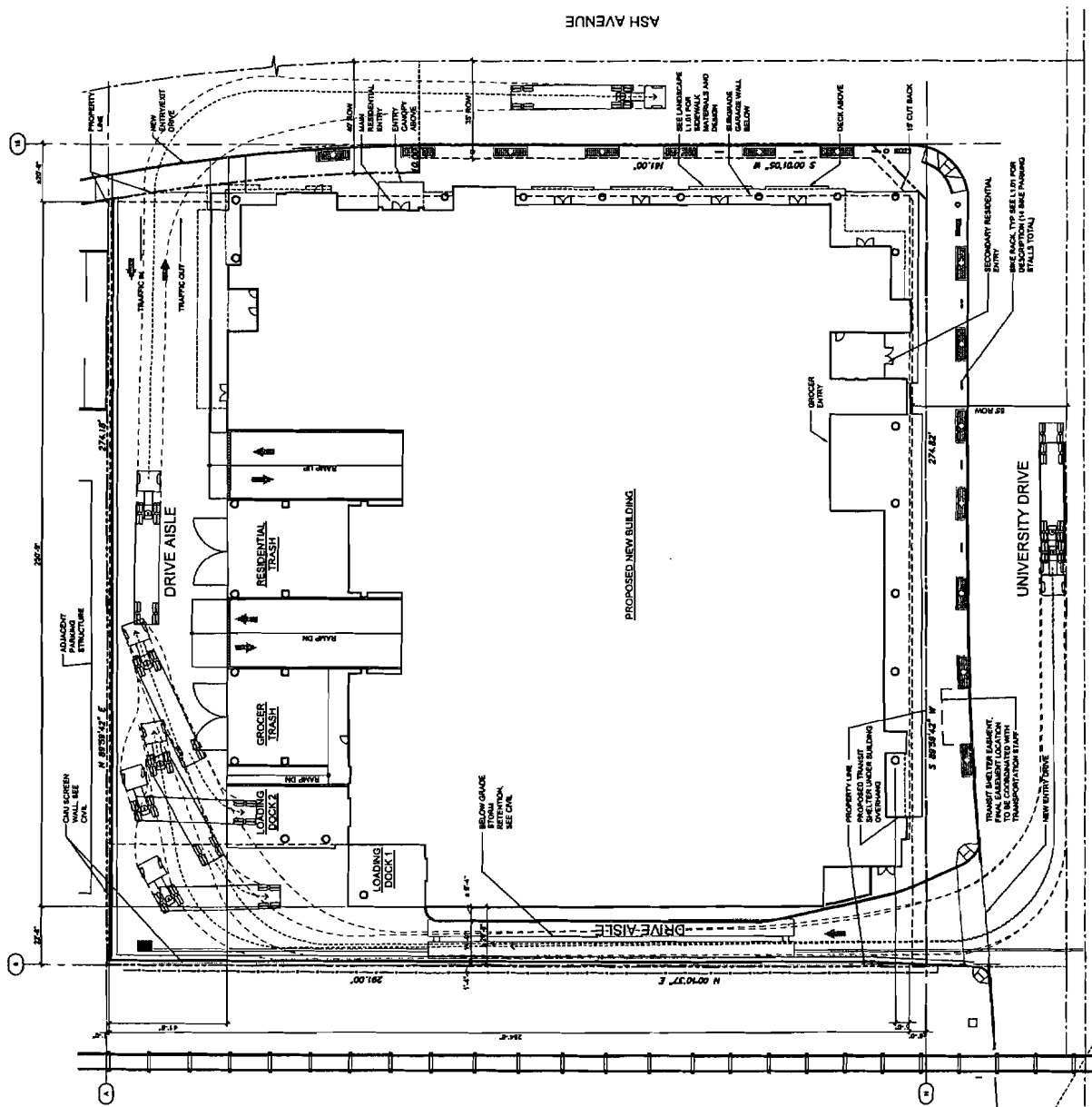
Sincerely,


Ron C. Brinkman
Construction Manager



GENERAL NOTES

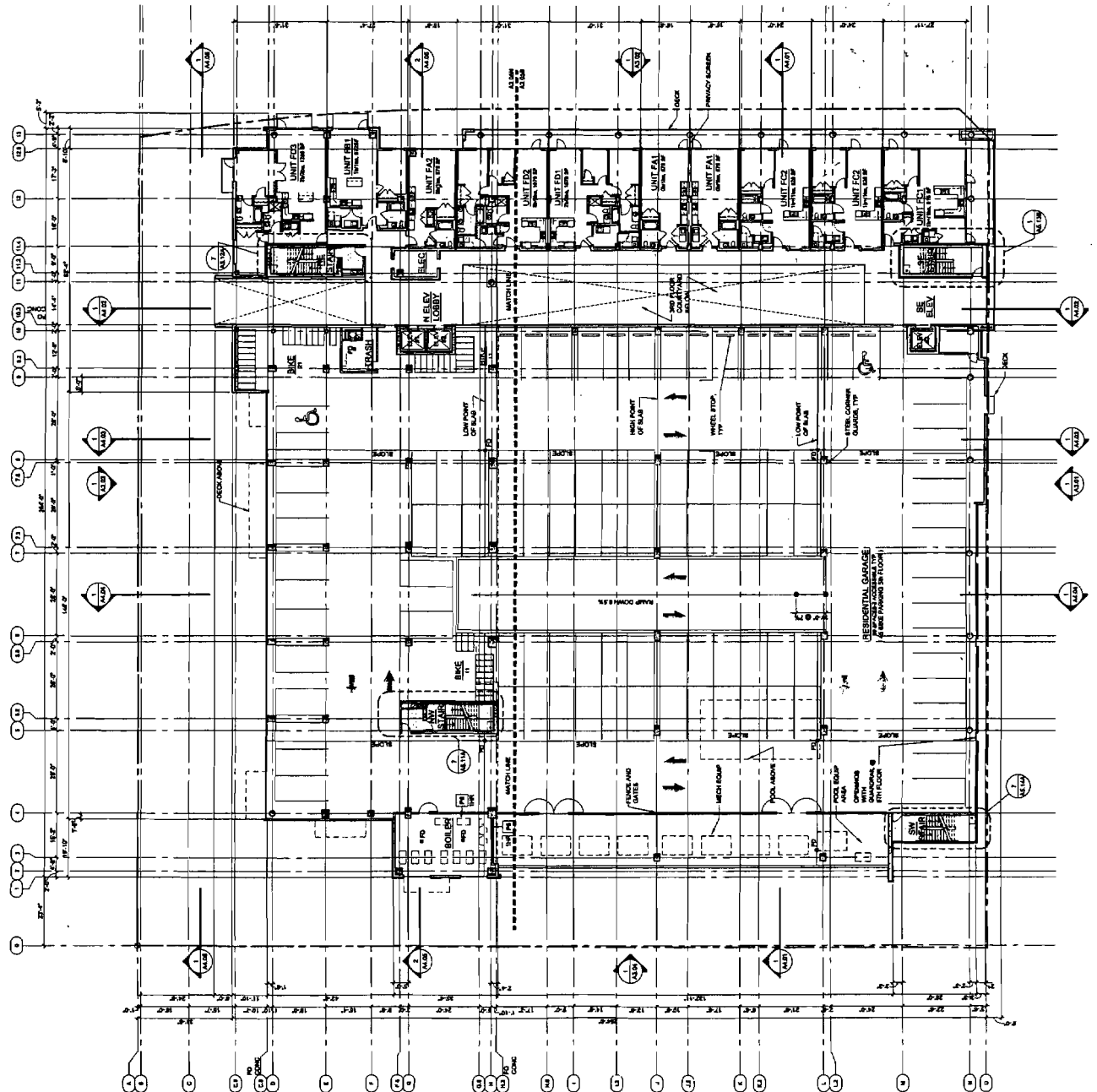
- SEE CIVIL AND LANDSCAPE DRAWINGS FOR ADDITIONAL INFORMATION.



SITE REFERENCE PLAN

CD Kick Off Set - NOT FOR CONSTRUCTION

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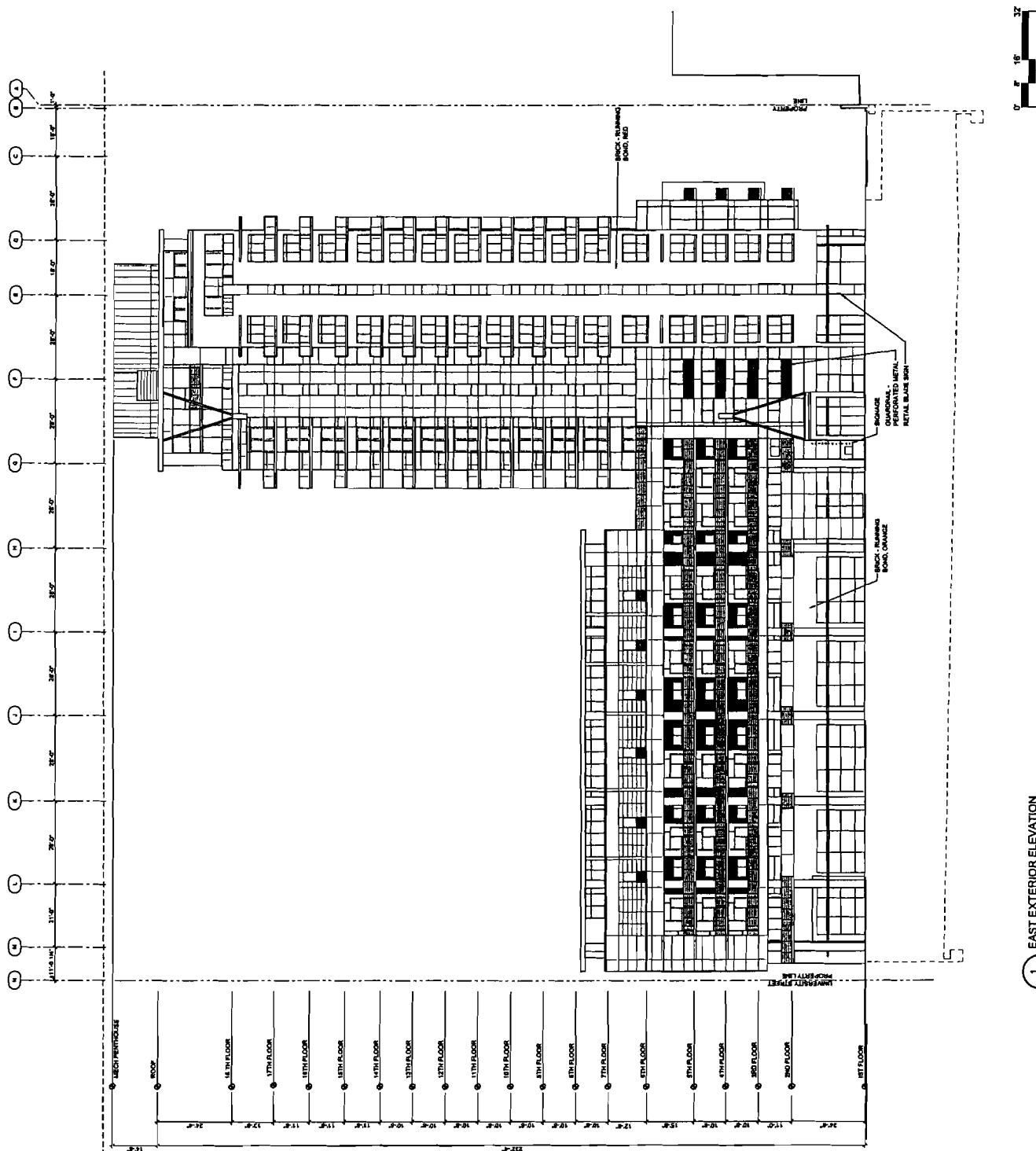
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Revisions		
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Date		
DESIGNED		
Designed By		
MAN, STD, M		
Drawn By		
SM		
Checked By		
136068		
Project Number		

A3.02

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RRC Submittal

MAY 31 2006



ATTACHMENT 6



Otak Inc
17455 Bay Boulevard, Suite 100
Lake Charles, LA 70605
Phone: 337.683.5988
Fax: 337.683.5988

KML COSMOPOLITA
Tampa, AZ

**Kowalla Mackey
Lalier Developm**
2944 N 44th Street
Suite 200
Phoenix, AZ 85018
Phone: 602.567.1790
Fax: 602.567.5291



**South
Exterior
Elevation**

Revision	Date	Description
01.31.08		
02.01.08		
03.01.08		
04.01.08		
05.01.08		
06.01.08		
07.01.08		
08.01.08		
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11.01.08		
12.01.08		

A3.01

Sheet Number
Project Number
Project Name
Project Location
Project Date

RRC Submittal

MAY 31 2006

